

Abraham Lincoln papers

From Orville H. Browning to Abraham Lincoln, September 17, 1861

Quincy, Ills. Sept 17, 1861

Mr President

It is in no spirit of fault finding that I say I greatly regret the order modifying Genl Fremonts' proclamation.¹

¹ On August 30, 1861, General Fremont issued a proclamation which freed all slaves in Missouri that belonged to secessionists. On September 11, Lincoln ordered Fremont to change his proclamation so as to conform with the Confiscation Act passed by Congress on August 6. The act required the government to take formal legal action in order to confiscate any rebel property.

That proclamation had the unqualified approval of every true friend of the Government within my knowledge. I do not know of an exception. Rebels and traitors, and all who sympathize with rebellion and treason, and who wish to see the government overthrown, would, of course, denounce it. Its influence was most salutary, and it was accomplishing much good. Its revocation disheartens our friends, and represses their ardor

It is true there is no express, written law authorizing it; but war is never carried on, and can never be, in strict accordance with previously adjusted constitutional and legal provisions. Have traitors who are warring upon the constitution and laws, and rejecting all their restraints, any right to invoke their protection?

Are they to be at liberty to use every weapon to accomplish the overthrow of the government, and are our hands to be so tied as to prevent the infliction of any injury upon them, or the successful resistance of their assaults?

The proclamation also provided that "All persons who shall be taken with arms in their hands within the lines shall be tried by court martial, and if found guilty, shall be shot."

I think there is no express statute law authorizing this, and yet, I believe, no body doubts its legality or propriety.

It does not conform to the act of Congress passed the 6th of August last, nor was it intended to; and yet it is neither revoked or modified by the order of Sept: 11th.

Is a traitors negro more sacred than his life? and is it true that the power which may dispose absolutely of the latter, is impotent to touch the former?

I am very sorry the order was made. It has produced a great deal of excitement, and is really filling the hearts of our friends with despondency.

It is rumored that Fremont is to be superceded. I hope this is not so. Coming upon the heels of the disapproval of his proclamation it would be a most unfortunate step, and would actually demoralize our cause throughout the North West. He has a very firm hold upon the confidence of the people.

You may rely upon what I say to you. You know that I am not in the habit of becoming needlessly excited, and that I have no ends to subserve except such as will advance the good of the country, and promote your own welfare — your fortune, and your fame.

I do think measures are sometimes shaped too much with a view to satisfy men of doubtful loyalty, instead of the true friends of the Country.

There has been too much tenderness towards traitors and rebels.

We must strike them terrible blows, and strike them hard and quick, or the government will go hopelessly to pieces.²

2 A copy of Lincoln's September 22 reply to Browning is in this collection.

As ever truly and faithfully

Your friend

O. H. Browning